

112TH CONGRESS  
2D SESSION

# S. 2835

To amend the Higher Education Act of 1965 to require institutions of higher education to post certain IRS returns on their websites.

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## IN THE SENATE OF THE UNITED STATES

MAY 7, 2012

Mr. BROWN of Massachusetts introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## A BILL

To amend the Higher Education Act of 1965 to require institutions of higher education to post certain IRS returns on their websites.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Increased Trans-  
5       parency in Higher Education Act of 2012”.

6       **SEC. 2. FINDINGS.**

7       Congress finds the following:

8               (1) Internal Revenue Service Form 990—

1 (A) provides the public with financial in-  
 2 formation about a given nonprofit organization,  
 3 and is often the only source of this information;  
 4 and

5 (B) is based on 3 guiding principles: en-  
 6 hancing transparency, promoting tax compli-  
 7 ance, and minimizing the burden on the filing  
 8 organization.

9 (2) Section 6104 of the Internal Revenue Code  
 10 of 1986, requires Internal Revenue Service Form  
 11 990 to be available for public inspection; however,  
 12 the public is generally not aware that nonprofit in-  
 13 stitutions of higher education are required to file  
 14 such Form 990 and would not know to look for one.

15 (3) Giving students and parents easy access to  
 16 Internal Revenue Service Form 990s filed by non-  
 17 profit institutions of higher education will increase  
 18 transparency and allow students and parents to  
 19 make more informed decisions.

20 **SEC. 3. POSTING OF IRS RETURN.**

21 Part B of title I of the Higher Education Act of 1965  
 22 (20 U.S.C. 1011 et seq.) is amended by adding at the end  
 23 the following:

1 **“SEC. 124. POSTING OF IRS RETURN.**

2       “Each institution of higher education that receives  
3 Federal financial assistance and is required to file a return  
4 under section 6033 of the Internal Revenue Code of 1986,  
5 shall post such return on the website of the institution.”.

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